

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT LINDBLAD,
Plaintiff,

v.

CITY OF MILLBRAE, et al.,
Defendants.

Case No. [21-cv-08608-AGT](#)

**ORDER DENYING MOTION TO
AMEND COMPLAINT**

Re: Dkt. No. 5

Robert Lindblad's proposed amended complaint doesn't comply with Civil Local Rule 10-1, which requires any party who moves to file an amended pleading to "reproduce the entire proposed pleading and . . . not [to] incorporate any part of a prior pleading by reference."

Lindblad's proposed amended complaint doesn't satisfy this rule, because it simply includes a caption page that identifies several new defendants, without including any of the factual allegations or legal claims that appear in the original complaint. As Rule 10-1 makes clear, Lindblad cannot incorporate those allegations and claims by reference.

The motion to amend is denied for failure to comply with Rule 10-1. Having denied the motion, the Court will continue to treat the original complaint as the operative pleading.

IT IS SO ORDERED.

Dated: December 16, 2021



ALEX G. TSE
United States Magistrate Judge